

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF NEBRASKA

PHILIP P. GIBILISCO,)	4:10CV3070
)	
Petitioner,)	
)	
v.)	MEMORANDUM
)	AND ORDER
ROBERT HOUSTON,)	
)	
Respondent.)	

This matter is before the court on Petitioner's Motion for Default Judgment (filing no. [13](#)), Motion for Clarification of Habeas Claim (filing no. [15](#)), Motion in Request for Additional State Court Documents (filing no. [16](#)), and Motion for Leave to Submit State Court Documents (filing no. [17](#)). The court has carefully reviewed the record in this matter and finds that Petitioner's Motions are denied without prejudice to reassertion pending the court's determination regarding the procedural default issues in this case. In the event the court determines that additional records are necessary, the court will order Respondent to provide them.

IT IS THEREFORE ORDERED that: Petitioner's Motion for Default Judgment (filing no. [13](#)), Motion for Clarification of Habeas Claim (filing no. [15](#)), Motion in Request for Additional State Court Documents (filing no. [16](#)), and Motion for Leave to Submit State Court Documents (filing no. [17](#)) are denied without prejudice to reassertion.

DATED this 1st day of October, 2010.

BY THE COURT:

s/ Joseph F. Bataillon
Chief United States District Judge